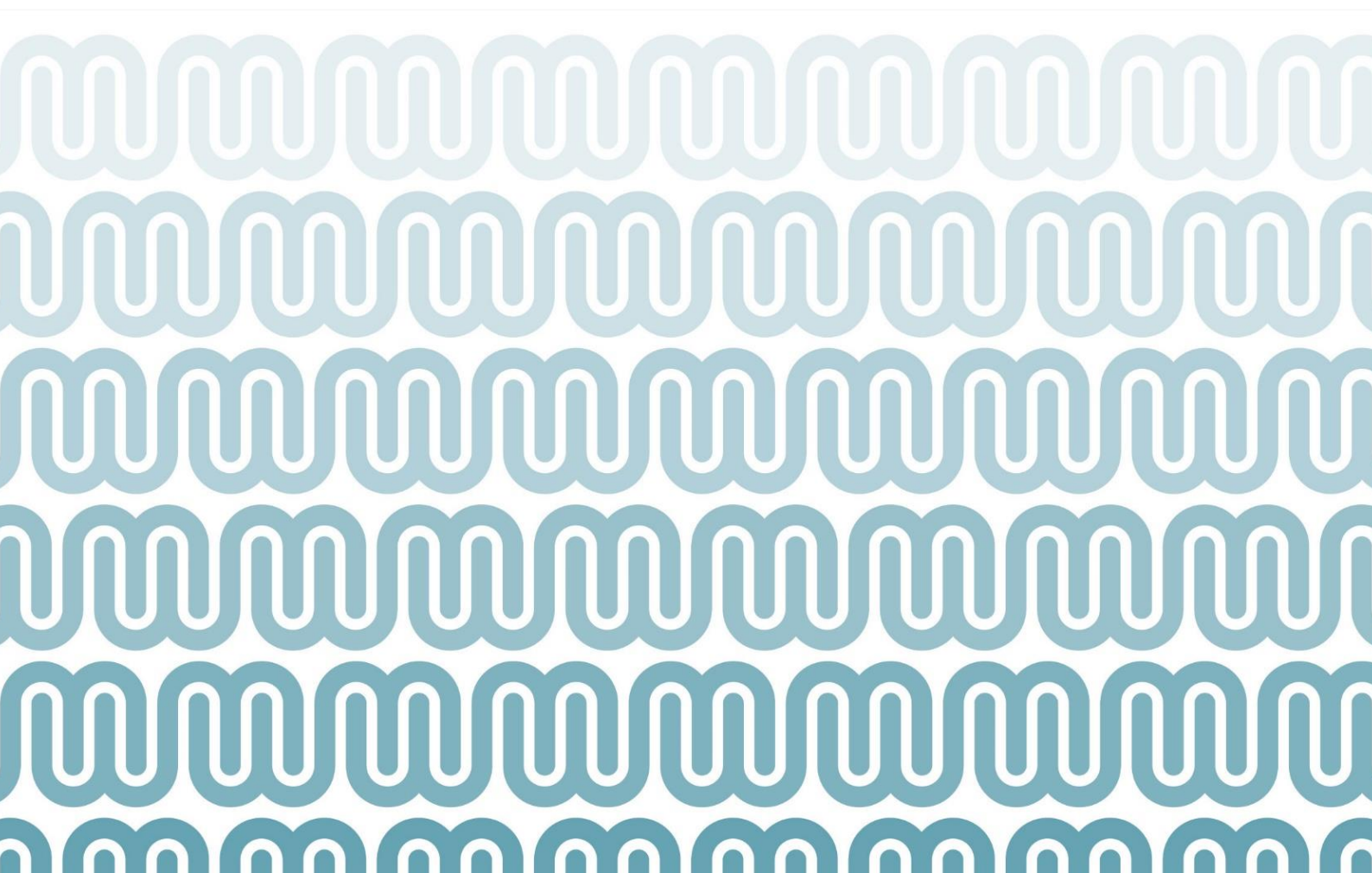




mental welfare
commission for scotland

Executive Director (Medical)

Application pack – January 2025



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From Julie Paterson, Chief Executive Officer



Dear Candidate,

Thank you for your interest in the Executive Director (Medical) post and in the Mental Welfare Commission.

Our Mission is to be a leading and independent voice in promoting a society where people with mental illness, learning disabilities, dementia and related conditions are treated fairly, have their rights respected, and have appropriate support to live the life of their choosing.

It is an exciting time to join the Mental Welfare Commission to contribute to our current and future strategic priorities, challenging and promoting change, focusing on the most vulnerable, increasing our impact and improving our efficiency and effectiveness.

For details of our recent work, including our reports following visits, our monitoring reports, good practice guides, themed visit reports, our investigations and our responses related to the Scottish Mental Health Law Review, proposed reform and more, please click on our [web-link](#).

The role of Executive Director (Medical) within the Commission will allow you to apply and develop your knowledge of ethical and legal considerations in the care of people who use services, their carers and those important to them across different parts of Scotland.

As a member of my Executive Team you will be an authentic, resilient, collegiate, senior leader and will play a key role in shaping and delivering the Commission's strategy, sharing our ambitions to drive change, be innovative and collaborative, working in partnership with our staff and directly with a wide range of stakeholders. Crucially, you will have credibility based on your values, skills and experience.

As an employer, we offer excellent terms and conditions of service including a generous pension scheme, a commitment to learning and development and access to an Employee Assistance Programme and comprehensive staff benefits.

We offer:

- a comprehensive range of HR policies including policies to help balance commitments at work and home and flexible family friendly working arrangements.
- training and development opportunities
- access to occupational health services
- access to an employee assistance programme
- access to staff benefits/staff discounts
- a cycle to work scheme.
- access to the NHS pension scheme

The pack which follows provides the information you need as you prepare your application.

- recruitment advertisement
- job description
- person specification
- terms and conditions of employment information sheet

I very much hope that you are encouraged to apply and look forward to receiving your CV and application form (with font size no smaller than 11 please).

If you need any further information, please contact stuart.gray3@nhs.scot



Julie Paterson
Chief Executive Officer

Our mission and purpose

Our Mission

To be a leading and independent voice in promoting a society where people with mental illness, learning disabilities, dementia and related conditions are treated fairly, have their rights respected, and have appropriate support to live the life of their choice.

Our Purpose

We protect and promote the human rights of people with mental illness, learning disabilities, dementia and related conditions.

Our Priorities

To achieve our mission and purpose over the next three years we have identified four strategic priorities.

- To challenge and to promote change
- Focus on the most vulnerable
- Increase our impact (in the work that we do)
- Improve our efficiency and effectiveness

Our Activity

- Influencing and empowering
- Visiting individuals
- Monitoring the law
- Investigations and casework
- Information and advice



Executive Director (Medical)

The salary is commensurate with that of NHS Consultant Psychiatrists and includes a Management Allowance.

Based in Edinburgh, hybrid working arrangements are in place.

The minimum hours are 24 hours per week (0.6wte). The working week of the Commission is 35 hours per week.

We protect and promote the human rights of people with mental illness, learning disabilities, dementia, and related conditions.

Applications are invited from suitably qualified candidates interested in taking up this senior medical leadership role with a Scotland wide remit.

This is an exciting opportunity for an experienced psychiatrist with evidence of outstanding operational and strategic leadership qualities to lead within and beyond the Commission on medical matters, improving practice, ensuring compliance with the law and promoting the principles of Mental Health and Adults with Incapacity Acts.

As a member of the Executive Leadership Team, the Executive Director (Medical) will play a key role in the strategic management and governance of the Commission and will attend Board meetings.

There will be a portfolio of responsibilities and functions including overseeing statutory responsibilities in relation to compulsory treatment, promoting best practice in mental health care across Scotland and providing internal medical leadership to a small, dedicated team of psychiatrists.

It is essential that applicants are able to demonstrate excellent interpersonal communication and report writing skills and have the ability to influence and command respect of key players in mental health, learning disability and medical fields, including those involving carers and people who use services. Credibility based on values, skills and experience is crucially important.

Applicants must be a Member or Fellow of the Royal College of Psychiatrists with extensive experience as a consultant psychiatrist and collegiate leader with knowledge of current mental health and incapacity law and a demonstrated commitment to up-holding the welfare and human rights of individuals.

The remuneration package is in line with that of NHS consultant psychiatrists and includes a management allowance.

As an employer, we offer excellent terms and conditions of service including a generous pension scheme, a commitment to learning and development and access to an Employee Assistance Programme and comprehensive staff benefits.

We also offer a comprehensive range of HR policies including policies to help balance commitments at work and home and flexible working arrangements.

At the Commission we champion diversity, inclusion and wellbeing. We pride ourselves on being an employer of choice, cultivating a sense of belonging and providing a workplace where everyone feels valued. We aim to have a workforce which represents the wider society that we serve and therefore encourage applications from people of all backgrounds and under-represented groups.

For more information on applying, please phone 0131 313 8777 or contact stuart.gray3@nhs.scot

Closing date for receipt of applications is **12 noon, Friday 14 February 2024**. Formal interviews will take place on 24 February 2024 at our office in Thistle House, Edinburgh. Informal discussions with the executive team members will take place prior to this date.

To apply, please send a copy of your CV and short application form to;

mwc.recruitment@nhs.scot

Executive Director (Medical) – Job Description

Job Title:	Executive Director (Medical)
Reports To:	The post-holder reports to the Chief Executive

<p>1. Job Purpose</p> <p>The Executive Director (Medical) leads within and beyond the Commission in medical matters, seeking to improve practice and ensuring compliance with the law and promoting the principles of the Mental Health and Adults with Incapacity Acts.</p> <p>They provide professional advice and guidance to the Executive Leadership Team, the Chief Executive and Board and professional leadership to the medical and other staff.</p> <p>The Executive Director (Medical) is a member of the Commission’s Executive Leadership Team, attending Board meetings and contributing to and participating in the corporate leadership, management and governance of the Commission.</p> <p>All the Executive Director posts have a portfolio of strategic and operational responsibilities which may change in future years depending on the needs of the organisation. All the members of the Executive Leadership Team work collegiately to deliver on the Commission’s strategic and operational objectives and have credibility based on their values, skills and experience.</p>

<p>2. Dimensions</p> <p>This post has a Scotland wide remit. This includes influencing and negotiating with key people within the NHS, local authorities, health and social care partnerships, Scottish Government and other stakeholders in order to advance the human rights of people with mental illness, learning disability, dementia and related conditions.</p> <p>A key role is direct contact with individuals, their relatives and carers as well as other members of the public in respect of their concerns about mental health care and treatment. Much of the Commission’s work is at the complex interface between the individual’s rights, the law and ethics and the care the person is receiving. The Commission works across the continuum of health, social work and social care, with links to other areas of public policy including justice and welfare.</p> <p>Revenue budget for Commission</p> <p>2024/25 £7.7 million</p>

3. Role of the Mental Welfare Commission for Scotland

We protect and promote the human rights of people with mental health problems, learning disabilities, dementia and related conditions.

We aim to be a leading and independent voice in promoting a society where people with mental illness, learning disabilities, dementia and related conditions are treated fairly, have their rights respected, and have appropriate support to live the life of their choice.

Our duties are set out primarily in the Mental Health (Care and Treatment) (Scotland) Act 2003 (MHCT Act) and the Adults with Incapacity (Scotland) Act 2000 (AWI Act).

Our main activities are

- Visiting people in hospital, other care settings and in their own homes, particularly people subject to compulsory measures under mental health or incapacity law.
- Monitoring the operation of the MHCT Act and AWI Act, and operating safeguards in relation to medical treatment.
- Investigating situations of possible unlawful detention, ill-treatment or deficiency in care.
- Providing advice and guidance and promoting best practice.
- Influencing the law, policy and services.

4. Key Result Areas

Core functions of the role

1. Provide medical leadership within the Commission, so that the Commission effectively carries out its operational functions relating to safeguarding the welfare and human rights of people with mental illness, learning disability, dementia and related conditions throughout Scotland.
2. As a member of the Executive Leadership Team, participate fully in the corporate management of the Commission bringing medical expertise to support and deliver the Commission's strategic and business plans.
3. Contribute to the Commission's quality and performance reporting.
4. Provide expert advice to the Chief Executive and Executive Leadership Team regarding communication on medical issues with individuals and carers, public bodies, professional and voluntary organisations and represent Commission views on appropriate matters to the media.
5. Act as the Commission's Caldicott guardian to provide leadership and guidance on complex matters involving confidentiality and information sharing.
6. Act as the Commission's Appraisal Lead and Responsible Officer for the doctors working exclusively within the Commission for GMC revalidation purposes.
7. Responsible for the delivery of the Commission's statutory responsibilities under Part 16 of the MHCT Act and Part 5 of the AWI Act to provide Designated Medical Practitioners and second opinion doctors.
8. Provide medical leadership and support on core activities, including:
 - Reviewing the care of individuals, liaising with external agencies on individual cases; and providing advice to staff.
 - Participating in Commission visits, where Executive Director (medical) expertise is indicated and taking forward issues arising.
 - Providing expert advice in support of the Commission's telephone advice service.
 - Leading or participating in Commission themed visits and investigations.
 - Representing the Commission at meetings, conferences and training events.
 - Ensuring the Commission is kept up to date with relevant medical and policy developments.
 - Contributing to the Commission's annual report.
 - Development of Commission policies and procedures as required.
 - Development of good practice guides, Q&As, and advice notes as required.

4. Key Result Areas

- Overseeing, engaging with and supervising doctors in training who wish to undertake placements with the Commission.

5. Communications and Working Relationships

In addition to the Chief Executive and the post-holder's direct report, the following are key working relationships:

Commission Board – to attend Board meetings and present papers on key strategic areas.

Executive Leadership Team - to assist the Chief Executive in the running of the organisation.

Scottish Government – to discuss national policy developments and to raise issues of concern that the Commission may have. To influence legislative and policy changes and practice guidance. To provide information to assist in responding to Parliamentary questions.

Chief Executives and senior staff of NHS bodies, local authorities, professional and voluntary organisations – to influence agendas and raise issues of concern about the safeguarding of individuals with mental illness, learning disability, dementia and related conditions.

Scottish Government Psychiatric Advisor, Consultant Psychiatrists and other medical staff with roles in mental health and incapacity law, Royal College of Psychiatrists– to give advice and promote best practice in mental health and learning disability care and treatment.

People who use services and carers – to raise awareness of the role and function of the Commission and to ensure involvement in the work of the Commission.

All staff and visitors – to discuss Commission policy especially with regard to medical issues.

The Media – to ensure that the Commission's role and view is appropriately represented.

6. Most Challenging Aspects of the Job

The Commission aims to influence national policy development and local operational practices in the mental health field by focussing on its role with the individual. It needs to have credibility with a range of stakeholders in order to do this. There are major challenges for the post-holder in balancing the remit of the safeguarding of individuals with the need to influence organisational practices to ensure individual rights and protection are upheld.

Given that we do not have authority to enforce change, the greatest challenge is to bring about change by influencing practice and behaviour.

7. Skills/Qualifications and Experience

The post-holder must be a Member or Fellow of the Royal College of Psychiatrists, have extensive experience as a collegiate, consultant psychiatrist and be considered an expert in their field. They must have a proven track record of positive leadership and be able to demonstrate credibility within the medical profession in order to influence and negotiate with senior people within health, social work, social care and voluntary sectors. They must have an excellent understanding of the mental health agenda in Scotland as well as a knowledge of Scottish mental health and incapacity legislation. The post-holder must demonstrate a commitment to upholding the welfare and human rights of individuals with mental illness, learning disability or related conditions.

8. Assignment and Review of Work

The post-holder reports directly to the Chief Executive Officer and has responsibility for shaping the medical input to the Commission's strategic framework, annual business plans and policy development.

Review of performance in the post is by a formal appraisal on an annual basis. Regular review of progress takes place via one-to-one meetings with the Chief Executive and development against agreed performance objectives throughout the year.

Currently the Executive Director (Medical) post line manages the Consultant for Safeguarded Treatment. Other line management responsibilities may be added, in discussion with the post-holder. Whilst the post-holder may not line manage all medical staff they retain responsibility for professional supervision of all medical doctors within the Commission.

Executive Director (Medical) - Person Specification

It is important to note that to be considered for appointment you must meet all of the essential criteria for the role. You should be able to demonstrate both within your application, and at interview (if invited to attend), how your skills, knowledge, values, and personal qualities match those required.

Criteria	Application	Interview
Demonstrates the authority, presence and integrity to command the respect of, and influence, key players in the mental health, learning disability, dementia and medical fields.	✓	✓
Demonstrates the skills to play a collegiate, high performing leadership role and contribute effectively as a key member of the multidisciplinary executive leadership team.	✓	✓
Demonstrates the skills to assimilate and make sense of complex or conflicting information and to give objective advice based on sound evidence and analysis.	✓	✓
Demonstrates the skills to communicate with people with mental illness, learning disability, dementia and related conditions in a caring and empathetic manner and to explain their rights.	✓	✓
Demonstrates the skills to write comprehensive reports and good practice guidance which accord to the principles of the Acts. (We use the application as a proxy measure of report writing)	✓	✓
Demonstrates knowledge of key Scottish mental health and incapacity legislation, current social policy and good practice and human rights legislation.		✓
Demonstrates an understanding of public sector management, corporate governance (including performance and risk management) and value for money as they apply to the Commission's work.		✓
Demonstrates value based professional and corporate practice.	✓	✓
The post-holder must be a Member or Fellow of the Royal College of Psychiatrists with extensive experience as a consultant psychiatrist.	✓	

Employment Information – Executive Director (Medical)

The following notes summarise the key points of the terms and conditions.

Full details will be provided with offers of employment.

Headquarters	Thistle House, 91 Haymarket Terrace, Edinburgh, EH12 5HE Options for hybrid working
Pay	The salary is commensurate with that of NHS Consultant Psychiatrists and includes a Management Allowance of £15,000 per annum, pro-rata for part time.
Type of Contract	The post is available on an open-ended, permanent basis.
Manager	The post-holder reports to the Chief Executive.
Hours of work	There is some flexibility around the hours of work for the post. The minimum hours are 24 hours per week (0.6wte). The Commission's working week is 35 hours per week.
Leave	<p>Annual Leave The annual entitlement for full time posts is 25 days per year, rising to 30 days after 10 years' relevant service. (NHS and local authority service is counted as relevant service). The annual entitlement for part-time posts is pro-rated to the full time equivalent.</p> <p>General/Public Holidays Public and privilege holidays total 11.5 days per leave year, 6 of these are on set dates and the remainder can be taken as required. The public/privilege holiday entitlement for part-time posts is pro-rated to the full time equivalent.</p> <p>The leave year runs from 1st April to 31st March.</p>
Superannuation	<p>NHS Pension Scheme is available to all staff subject to scheme rules.</p> <p>Please click here for contributions details.</p> <p>The employer currently contributes an amount equal to 22.5% of pensionable pay into the scheme on members' behalf.</p>
Staff Benefits	Through the Commission Staff Benefits scheme there is access to a wide variety of offers and discounts from the UK's most popular retailers and service providers. The current provider is EdenRed. There is also access to, My Gyms discount site , the UK's largest network of gyms, studios, fitness centres and sports clubs across the UK with discounted membership offers. A comprehensive Employee Assistance Programme is also available and access to a Cycle to Work Scheme.

	(The Commission reserves the right to withdraw, amend the schemes and change providers as appropriate)
Our values	The Commission operates a set of internal values for all staff.
Performance, Learning and Development	There is a performance development system in operation within the Commission. Progression through the salary scale is subject to satisfactory performance.
Data protection	<p>The information you provide on your CV and application form will be used to assist in the process of recruitment and selection in accordance with the Policy of the Mental Welfare Commission.</p> <p>If you are successful in your application the information you provide will be used for HR and Payroll purposes. By signing the declaration section of the application form it is understood that you consent to the use and storage of your personal information for the above stated purposes.</p>
Work outside the Commission	It is important to identify and minimise any conflicts of interest that could prevent staff from making fair and objective judgements or could be perceived as doing so by people who use services, practitioners and the public. For this leadership post it would not be appropriate to have any other roles within NHS Scotland, Scottish Government or the Mental Health Tribunal for Scotland.
Probationary period	The post requires a 6 months' probationary period.
Disclosure Scotland	You will be required to submit an application for a PVG Disclosure Certificate covering Children and Adults. The Commission when recruiting individuals who have spent time overseas considers that an overseas police check is required for all posts. This applies where applicants declare they have spent a significant period overseas within the last five years. A significant period should be considered as any period of six months or more (whether continuously or in total) within the last five years.
Occupational Health Screening	Any offer of employment is subject to satisfactory Occupational Health clearance. The successful candidate will be asked to complete a Pre-Employment Health Questionnaire. NHS Lothian Occupational Health will make an assessment on your fitness to carry out the post based on the information contained within the questionnaire. In certain circumstances further information is required before clearance can be given, and Occupational Health may contact you by telephone or request that you attend for an appointment. Clearance may be subject to you attending for a post-employment appointment and it is vital that you attend this appointment if required

Complaints	The Commission has a Complaints Policy. All applicants have access to it if they feel they have been unfairly treated during the recruitment and selection process. External applicants should direct any concerns to the Human Resources department and internal applicants have recourse to the Commission's Grievance Procedure.
Equal opportunities	The Commission is an equal opportunities employer.
Feedback	We do recognise the time and effort it takes to apply for a position. Following the short-listing process, you will be notified about the outcome of your application by email.
Professional Registration	The post-holder must be registered with the General Medical Council and hold a licence to practise.
Job Plan	The post-holder will be required to participate in appraisal and job planning. A job plan will be agreed and reviewed on an annual basis. There is also a Commission performance appraisal and development scheme.
CPD & Revalidation	The post-holder will be expected to be registered for CPD with the Royal College of Psychiatry and requirements for annual certification and for appropriate GMC revalidation.

How to Apply

The Mental Welfare Commission encourages applications from all sections of the community.

We hope the information we have provided will encourage you to find out more about this opportunity.

To apply, please send a copy of your CV and short application form to;

mwc.recruitment@nhs.scot

Closing date for completed applications is **12.00 noon 14 February 2025**.

Interviews will take place on **Monday 24 February 2025 at Thistle House, Edinburgh**.

